

1 SENATE BILL 156

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Cynthia Nava

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; CREATING AN ALTERNATIVE SCHOOL  
12 ACCOUNTABILITY SYSTEM PILOT PROJECT; PROVIDING FOR DATA  
13 COLLECTION AND ANALYSIS; PROVIDING FOR PERIODIC REPORTS TO THE  
14 GOVERNOR AND THE LEGISLATURE.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 Section 1. A new section of the Public School Code is  
18 enacted to read:

19 "[NEW MATERIAL] ALTERNATIVE SCHOOL ACCOUNTABILITY SYSTEM  
20 PILOT PROJECT.--

21 A. The "alternative school accountability system"  
22 is created as a six-year pilot project to provide an  
23 opportunity for public school districts and charter schools to  
24 participate in an accountability system, aligned with state  
25 academic content and performance standards, that demonstrates

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1 the usefulness of a student growth model of accountability for  
2 targeting resources to improve elementary and middle schools  
3 most in need, and for recognizing elementary and middle schools  
4 that make the greatest progress in increasing student academic  
5 performance.

6 B. The alternative school accountability system  
7 shall complement but be separate from the statewide assessment  
8 and accountability system established pursuant to federal law.  
9 It shall be based on:

10 (1) a growth model that measures change in  
11 academic performance as demonstrated on state standards-based  
12 assessments from year to year for each student in participating  
13 school districts and charter schools in grades four through  
14 eight;

15 (2) in cases of students with disabilities,  
16 demonstration of proficiency on the state standards-based  
17 assessments or alternative assessments as specified in their  
18 individualized education plans, without regard to any  
19 predetermined number or percentage of students that may be  
20 counted as proficient based on demonstration of proficiency on  
21 alternative assessments; and

22 (3) in cases of students with limited English  
23 proficiency, achievement of English language proficiency as  
24 demonstrated on the New Mexico English language proficiency  
25 assessment within a period to be specified by the department

1 based on current scientific research.

2 C. The alternative school accountability system  
3 shall include annual reports for each participating school  
4 that:

5 (1) are easily understood by school personnel,  
6 parents, students and community members;

7 (2) report results for all students and for  
8 groups based on ethnicity, race, limited English proficiency,  
9 students with disabilities, poverty and gender; and

10 (3) report relative improvement in academic  
11 achievement of students in schools that have comparable levels  
12 of students at risk because of high mobility, poverty and  
13 limited English proficiency.

14 D. The alternative school accountability system  
15 shall be administered by the department and shall be phased in  
16 over two years.

17 E. During year one, the department shall convene an  
18 assessment and accountability work group composed of  
19 representatives of school district superintendents, assessment  
20 and accountability specialists, public school principals,  
21 public school teachers and teacher organizations, educators in  
22 federal bureau of Indian education schools, bilingual  
23 educators, special education teachers and administrators,  
24 parents and members of the public to assist the department in  
25 designing a uniform alternative accountability system for

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1 school districts and charter schools that voluntarily choose to  
2 participate in the pilot project. The design shall include:

3 (1) a value table based on four levels of  
4 academic proficiency, from beginning step through advanced,  
5 that compares the achievement level that a student earns to the  
6 level the student earned the previous year and assigns a  
7 numerical value to the change;

8 (2) a methodology for establishing peer groups  
9 among participating schools based on comparable levels of  
10 student mobility, poverty and percentage of English language  
11 learners;

12 (3) the timetable that the department will use  
13 to supply annual student growth calculations and any other  
14 necessary accountability data to school districts and charter  
15 schools that participate in the pilot project; a schedule for  
16 producing accountability reports; the information to be  
17 included in the report; and a process for disseminating reports  
18 to school communities and the public; and

19 (4) a detailed application process with  
20 evaluation criteria for the pilot project, including a  
21 description of how the applicant proposes to use the results of  
22 the alternative school accountability system for school  
23 improvement and recognition.

24 F. During year two and subsequent years of the  
25 pilot project, depending on the availability of funds

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1 appropriated by the legislature or from other available  
2 sources, the department shall make awards to applicant school  
3 districts and charter schools to participate in the pilot  
4 project. Awarded funds may be used, as described in  
5 participants' applications, for school improvement activities,  
6 including initiatives to improve school district and charter  
7 school capacity to analyze and use assessment data for targeted  
8 school improvement and to improve student achievement through  
9 individualized instruction.

10 G. The department shall establish reporting and  
11 evaluation requirements for school districts and charter  
12 schools that participate in the pilot project.

13 H. From funds made available by the legislature,  
14 the department shall provide for an external evaluation of the  
15 alternative school accountability system to determine whether  
16 the system provides the state, school districts and charter  
17 schools with a cost-effective mechanism for using the results  
18 of standards-based assessments to improve student achievement.  
19 The department shall provide interim and final reports annually  
20 to the legislature and the governor on the implementation and  
21 effectiveness of the alternative school accountability pilot  
22 project."